

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ROBERT DOWNER and
NANCY DOWNER

Plaintiff,

V.

TOWN OF BURLINGTON,
ROBERT MERCIER individually and in
his capacity as Town Manager,
FRANCIS HART, individually and in his
capacity as Chief of Police, and
HARRY SAWYER,
Defendants

CIVIL ACTION NO. 05-11761RCL

MOTION TO FURTHER ENLARGE TIME
TO RESPOND TO MOTION TO DISMISS

Now come the Plaintiffs above named and move to further extend the time to respond to Defendants' Motion to Dismiss through January 6, 2006. In support of this motion Plaintiffs state that the extensive and comprehensive nature of Defendants' motion to dismiss has required more research and writing time than counsel initially anticipated. The undersigned counsel is the only attorney working on this case for Plaintiffs. The need to attend to some other cases in addition to this case and the slow down occasioned by this holiday period have also caused Plaintiffs' counsel to require additional time to file a response. Counsel believes in good faith that the response will meet the motion and that the motion to dismiss will be denied.

Defendants have stated that they do not object to this extension. Plaintiffs further note that this case has not yet been scheduled for an initial conference, and that the additional time to respond will not cause any delay in this case.

Respectfully Submitted
By Plaintiffs' attorney,

December 28, 2005

/S/ Brian Rogal
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